

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in City Council and Redevelopment Agency meetings. If you require, American Sign Language interpreters, a reader during the meeting, and/or large print agendas, to make arrangements, please call: **Office of the City Clerk (714) 536-5227**.

To make arrangements for an assisted listening system (ALD) for the hearing impaired, please contact: the **Sergeant at Arms (714) 536-5693** or the **City Clerk (714) 536-5227**.

72 hours prior notification will enable the city to make reasonable arrangements to ensure accessibility to a meeting.

**** Revised ACTION AGENDA Page 15 ****

**CITY COUNCIL/REDEVELOPMENT AGENCY
CITY OF HUNTINGTON BEACH**

WEDNESDAY, NOVEMBER 6, 2002

6:00 P.M. – Room B-8 – Closed Session

7:00 P.M. - Council Chambers

Civic Center, 2000 Main Street

Huntington Beach, California 92648

The 5:00 p.m. portion of the meeting will be recessed by the City Clerk to 6:00 p.m. in Room B-8 due to an anticipated lack of quorum.

6:00 P.M. - Room B-8

Call City Council/Redevelopment Agency Meeting to Order

Roll Call Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
PRESENT (Cook absent)

Public Comments Regarding Closed Session Agenda Items

Speaker inquired if Water Pipeline should be discussed in open session

Motion to meet in Open Session on the water pipeline item

Approved 6-0-1 (Cook absent)

Call Closed Session of City Council/Redevelopment Agency

Recommended Action: Motion to recess to Closed Session on the following items:
Approved 6-0-1 (Cook absent)

**COMPUTER INTERNET ACCESS TO CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDAS IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS
<http://www.ci.huntington-beach.ca.us>**

(City Council) Closed Session – Pursuant to Government Code Section 549527.6 to meet with its designated representatives, Agency Negotiators: William Workman, Assistant City Administrator; Clay Martin, Director of Administrative Services; Jim Engle, Acting Director of Community Services; and Steven M. Berliner, Esq. of Liebert Cassidy Whitmore regarding **labor relations matters – meet and confer** with the following employee organizations: **PMA, POA, MSOA, FMA, FFA, HBMEA, HBMEQ, and SCLEA.** Subject: **Labor Relations – Meet and Confer.** (120.80)

~~**(City Council) Closed Session** – to confer with its City Attorney regarding pending litigation pursuant to Government Code Sections:~~

- ~~1. 54956.9(b)(3)(B) – facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced. The City received a letter from the attorneys of Southern California Water, dated August 13, 2002, threatening litigation if a franchise to construct a water pipeline in Bolsa Chica and Los Patos Streets is not granted. A copy of the letter is on file with the City Clerk;~~

and

- ~~2. 54956.8 to give instructions to the City's negotiator, Amy Bodek, regarding negotiations with Southern California Water Company concerning granting a franchise for water pipeline with Bolsa Chica and Los Patos Street from the Westminster border to the Bolsa Chica. Instruction will concern: both price and terms of payment. Subject: **Application of Southern California Water for Water Line Franchise Between Cypress and Bolsa Chica Mesa** (120.80)~~

See Agenda Item F-1 for Open Session Regarding this item

(City Council) Closed Session – Pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the city is a party. The title of the litigation is **Center for Bio-Ethical Reform, Inc. v. City of Huntington Beach, et al.**; U.S. District Court Case No. CV-SA02-910 AHS (ANX). Subject: **Center for Bio Ethical Reform, Inc. v. City of Huntington Beach, et al.** (120.80)

The City Council and the Redevelopment Agency of the City of Huntington Beach will regularly convene in joint session for the purpose of considering the following City Council-Redevelopment Agency Agenda Items.

The Huntington Beach Parking Authority, Civic Improvement Corporation, and the Huntington Beach Public Financing Authority are also agencies on which Council serves as members. On each Agenda these Agencies may have items scheduled.

7:00 P.M. - Council Chambers

Reconvene City Council/Redevelopment Agency Meeting

- ** The City Attorney Shall Determine If Any Actions Taken By The City Council or Redevelopment Agency In Closed Session Shall Require A Reporting On Those Actions As Required By Law (Government Code §54957.1(a) (3) (B)).**
No Report out of Closed Session made

Roll Call Green, Dettloff, Boardman, Cook, Houchen, Winchell, Bauer
PRESENT

Pledge of Allegiance and Flag Salute – ***Led by Boy Scouts from the Church of Jesus Christ of Latter Day Saints, Huntington Beach North Stake. Scout Master Julie Brashears.***

Pursuant to the Brown Act (Open Meetings Act) the City Clerk Announces Late Communications Received by Her Office Which Pertain to Items on the Agenda

(1) Copies of late communications submitted by City Councilmembers or City Departments are available for the public at the City Clerk's desk. **(2)** Late communications submitted by members of the public will be made available to the public at the City Clerk's Office the morning after the Council meeting.

City Clerk announced Late Communication relative to Agenda Items C-2a; C-3; D-1; D-2; F-1; F-2; F-6; and G-2a

Motion to move F-2 after Public Comments - Approved 7-0

The Mayor's Award – By Mayor Debbie Cook, Police Chief Kenneth Small and Captain Jim Cutshaw to Detective Don Howell.

B. PUBLIC COMMENTS

The City Council welcomes public comments on all items on this agenda or of community interest. We respectfully request that this public forum be utilized in a positive and/or constructive manner. Please focus your comments on the issue or problem that you would like to bring to the attention of the City Council.

This is the time to address Council regarding items of interest or on agenda items OTHER than Public Hearings.

3 minutes per person, time may not be donated to others.
No action can be taken by Council/Agency on this date unless agendaized.

Complete the attached pink form and give to the Sergeant-At-Arms located near the speaker's podium

- (1) *Rainbow Disposal representative announced their company will be recycling campaign signs and can also return to candidates if they desire.***
- (2) *Speaker requested Agenda Item G-1a not be adopted. Councilmember/Coastal Commissioner Dettloff reported that Coastal Commission will proceed with Coastal Development Permits (CDP). There may be an appeal on the open space areas to ensure buffers are adequate. The applicant, city and Coastal Commission stated the entire project will be considered by Coastal Commission and perhaps a complete review by consultant chosen by the developer, city and Coastal Commission.***
- (3) *Speaker offered a prayer to protest the absence of the Invocation.***
- (4) *Speaker informing Council that the Mobile Home Advisory Board hopes to be able to return to Council with recommendations on item that has been appealed to Council by Councilmember Bauer regarding mobile home ordinance.***
- (5) *Council Candidate thanked the outgoing Councilmembers for their dedicated service.***
- (6) *Many speakers apposed and/or stating concerns and recommendations on Agenda Item F-2.***
- (7) *Many speakers in favor of Agenda Item G-2a, video shown of a presentation by Karen Chepeka.***
- (8) *Many speakers in opposition of Agenda Item G-2a.***
- (9) *Speakers stating reasons opposed to Agenda Item F-1 including Bond Proposition 50 for acquisition of Bolsa Chica Mesa and requesting postponement.***
- (10) *Speaker opposed to campaign signs for various reasons and requested reform.***

C-1. Council Committee/Council Liaison Reports**C-2. City Administrator's Report****C-2a. (City Administrator's Report) Announcement of Revised Schedule for Pavement/Utility Trench Rehabilitation on Warner Avenue from Beach Boulevard to Bolsa Chica Street Beginning Spring 2003 (Includes Projects Required by the Orange County Sanitation District) (.)**

The City Administrator will report on a revised schedule for pavement rehabilitation on Warner Avenue from Beach Blvd to Bolsa Chica Street beginning in Spring 2003. The project includes the completion of all known utility trench work, including projects required by the Orange County Sanitation District (OCSD). Funding for the project was received through the successful award of three separate grant applications to the Orange County Transportation Authority (OCTA).

City Administrator presented Report

** Communication from the Public Works Director dated October 31, 2002 and titled *Warner Pavement Rehabilitation* which details additional scheduling information, is included in the agenda packet.

C-3. (City Council) Review and Accept Shari Freidenrich, City Treasurer's September 2002 Report Titled *City of Huntington Beach Summary of City Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity* (310.20)

Communication from City Treasurer Shari Freidenrich transmitting the Monthly Investment Report for September 2002.

Recommended Action: Motion to:

Review and accept the monthly report. Following review of the report, by motion of Council, accept the Monthly Investment Report *Summary of Investment Portfolio, Bond Proceeds, and Deferred Compensation Activity for September 2002*, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

Approved 7-0

D. PUBLIC HEARINGS

Anyone wishing to speak on an OPEN public hearing is requested to complete the attached pink form and give it to the Sergeant-at-Arms located near the Speaker's Podium.

D-1. (City Council) Public Hearing to Consider Appeal Filed by Applicant - Praise Christian Church and Derek Annunciation of the Planning Commission's Conditions of Approval of Conditional Use Permit No. 02-11 – Praise Christian Church located at 17851 Goldenwest Street (n/o of Garfield Avenue) Appeal Based on Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA)

(.)

Communication from the Planning Director.

Public hearing to consider:

Applicant/Appellant: Michael H. Leifer on behalf of Praise Christian Church and Derek Annunciation.

Request: Appeal of the Planning Commission's conditions of approval of Conditional Use Permit No. 02-11 to permit the establishment of a religious assembly use including religious instruction within approximately 2,840 square feet of an existing 21,800 square foot landscape warehouse building. The request includes joint use parking based on divergent hours of operation of uses and the addition of 19 parking spaces on a separate but contiguous parcel located at the northeast portion of the site.

Location: 18851 Goldenwest Street (west side of Goldenwest Street, north of Garfield Avenue).

Environmental Status: Notice is hereby given this agenda item is categorically exempt from the provisions of the California Environmental Quality Act.

ON FILE: A copy of the proposed request is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Friday, November 1, 2002.

ALL INTERESTED PERSONS are invited to attend said hearing and express opinions or submit evidence for or against the application as outlines above. If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. If there are any further questions please call the Planning Department at (714) 536-5271 and refer to the above items. Direct your written communications to the City Clerk.

1. Staff report
2. City Council discussion
3. Open public hearing
4. Following public input, close public hearing

Recommended Action: Motion to:

Planning Commission and Staff Recommendation:

Approve Conditional Use Permit No. 02-11 to permit the establishment of Praise Christian Church with findings and conditions of approval (ATTACHMENT NO. 1)

***Sustained the decision of the Planning Commission and approved Conditional Use Permit No. 02-11 and addition of Condition #13 Area of Benefit Fee as set forth in the Interdepartmental Communication dated 11-06-02 in the Late Communication packet.
6-0-0-1 (Cook abstain)***

D-2. (City Council) Public Hearing to Consider Appeal Filed by James Burgard of the Planning Commission's Approval of Entitlement Plan Amendment No. 02-04 (Old World-Separate Occupancy – Applicant Inge McKellop) 7561 Center Avenue (w/o Huntington Village Way)

(.)

Communication from the Planning Director.

Public hearing to consider:

Applicant: Inge McKellop

Appellant: James Burgard.

Request: Appeal of the Planning Commission's approval of Entitlement Plan Amendment No. 02-04 to amend Conditional Use Permit No. 75-24 to allow separate occupancy of first floor retail suites and second floor residential units in lieu of requiring the property owner or business owner to occupy both floors of each building. The request also includes no increase in additional parking based on a parking demand analysis. The proposed separate occupancy of second floor residential units requires 41 additional parking spaces pursuant to Chapter 231 of the Huntington Beach Zoning and Subdivision Ordinance.

Location: 7561 Center Avenue (north side of Center Avenue, west of Huntington Village Way).

Environmental Status: Notice is hereby given that this agenda item is categorically exempt from the provisions of the California Environmental Quality Act.

ON FILE: A copy of the proposed request is on file in the City Clerk's Office, 2000 Main Street, Huntington Beach, California 92648, for inspection by the public. A copy of the staff report will be available to interested parties at the City Clerk's Office on Friday, November 1, 2002.

ALL INTERESTED PERSONS are invited to attend said hearing and express opinions or submit evidence for or against the application as outlines above. If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. If there are any further questions please call the Planning Department at (714) 536-5271 and refer to the above items. Direct your written communications to the City Clerk.

1. Staff report
2. City Council discussion
3. Open public hearing

4. Following public input, close public hearing

Recommended Action: Motion to:

Planning Commission and Staff Recommendation:

Approve Entitlement Plan Amendment No. 02-04 to allow separate occupancy of the first story commercial units and second floor residential units with findings and conditions of approval (ATTACHMENT NO. 1).

Approved 7-0

E. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered by the City Council and Redevelopment Agency to be routine and will be enacted by one motion in the form listed.

Recommended Action: Approve all items on the Consent Calendar by affirmative roll call vote.

- E-1. (City Council) Continued from 10/7/02 - Adopt Resolution 2002-92 Regarding Additions and Modifications to the City's Classification Plan Amendment (.)**
Adopt Resolution No. 2002-92 – *"A Resolution of the City Council of the City of Huntington Beach to Amend the Classification Plan by Adding and Modifying Classifications and Establishing Compensation in the City Classification Plan."*
Submitted by the Administrative Services Director. Funding Source: Fiscal Year 02-03 budget. (Community Relations Officer (Revised) – Recreation, Human & Cultural Services Superintendent (New) – Facilities, Development & Concessions Manager (New) Special Projects Manager (New)).
Adopted 7-0
- E-2. (City Council) Approve Appointment of John Myers to the Community Services Commission for a Term to Expire June 30, 2004 (.)** – Approve the appointment of John Myers to fill the vacancy, created by the resignation of Gary Ernst, on the Community Services Commission as a representative of the Huntington Beach Union High School District for a term to expire on June 30, 2004. Submitted by Mayor Debbie Cook and Council Member Grace Winchell, Liaisons to the Community Services Commission. Funding Source: Not applicable.
Approved 7-0
- E-3. (City Council) Approve Final Tract Map No. 16288 of Tentative Tract Map No. 16288 (PLC One-Lot Division) w/s of Holly Street n/o Main Street (420.60)** – **1.** Approve Final Tract Map No. 16288 and accept the offer of dedication, improvements, and bonds pursuant to findings and requirements (ATTACHMENT NO. 1); **AND 2.** Approve the *Subdivision Agreement between the City and PLC, a California General Partnership for Tract No. 16288* and authorize execution by the Mayor and City Clerk (ATTACHMENT NO. 6). **Attachment No. 1 – Findings for Acceptance of Final Map (1)** Final Tract Map No. 16288 is in conformance with the California Subdivision Map Act, the City of Huntington Beach Subdivision Ordinance and Tentative Tract Map No. 16288 Conditions of Approval, as approved by the City Council. **Requirements;** **(1)** Acceptance of offer of dedication shall be subject to completion of improvements and requirements shown on the final map. **(2)** The City Clerk shall file the following bonds with the City Treasurer: (a) Faithful Performance Bond No. B34224585 (Attachment No. 7); (b) Labor and Material Bond No. B34224585 (Attachment No. 7); (c) Monument Bond No. B34224586 (Attachment No. 7). **(3)** The City Clerk shall affix her signature to the map and release it for recordation by the County of Orange. Submitted by the Planning Director. Funding Source: Not Applicable.
Approved 7-0

- E-4. (City Council) Appropriate Holly Seacliff Funds for Police Communication Projects** (.) – **1.** Appropriate \$1,132,000 from the Holly Seacliff Fund, Number 307 for expenses related to Police Communications equipment; and **2.** Authorize the Chief of Police to expend the funds on expenses related to communications. Submitted by the Chief of Police. Funding Source: Undesignated, unappropriated Holly Seacliff Fund in the amount of \$1,132,000.
Approved 7-0
- E-5. (City Council) Approve Office of Criminal Justice Planning (OCJP) Grant for 5th Year Funding for Violence Against Women/Domestic Violence Program - Police Department** (.) - **1.** Accept the grant between the State of California, Office of Criminal Justice Planning and the City of Huntington Beach; and **2.** Approve the appropriation of \$90,000 from the unreserved, undesignated General Fund Balance, to be reimbursed by the grant from the Office of Criminal Justice Planning; and **3.** Authorize the expenditure of funds not to exceed \$120,000 to pay for contract counseling services, a portion of a detective's salary and some operating costs related to domestic violence. Submitted by the Chief of Police. Funding Source: A 25% City match of \$30,000 is required which has been included in the Police Department's 2002-2003 budget, under the General Investigations, General Fund Account.
Approved 7-0
- E-6. (City Council) Approve the County of Orange-Supplemental Law Enforcement Service Fund Grant (SLESF) For Fiscal Year 2002/03 and Authorize Expenditure for Computer Aided Dispatch/Records Management System (CAD/RMS) – Police Department** (.) - **1.** Accept the grant award of \$386,647.88 from the County of Orange SLESF for funding cycle year 2002/2003; and **2.** Establish a separate business unit for this funding; and **3.** Authorize the Chief of Police to expend \$386,647.88, plus any accrued interest on technology associated with the Computer Aided Dispatch/Records Management System (CAD/RMS) for the Police Department, and **4.** Appropriate \$386,647.88, plus any accrued interest to be expended on a CAD/RMS system. Submitted by the Chief of Police. Funding Source: No match is required for this grant.
Approved 7-0
- E-7. (City Council) Accept State Grant - Office of Traffic Safety (OTS) Driving Under the Influence Enforcement Team and Authorize Appropriation of Funds – Police Department** (.) - **1.** Approve and accept Project Grant AL0321 titled *Office of Traffic Safety Grant Agreement* between the State of California, Office of Traffic Safety and the City of Huntington Beach; and **2.** Approve the appropriation of \$136,820 from the unreserved, undesignated General Fund Balance, to be reimbursed by the grant from the Office of Traffic Safety; and **3.** Authorize the expenditure of funds not to exceed \$136,820 to provide DUI enforcement, conduct DUI checkpoints and conduct a DUI education program. Submitted by the Chief of Police. Funding Source: This is a reimbursable grant, which is funded by the State of California-OTS in the amount of \$136,820 for the period of October 1, 2002 to December 31, 2002. Funds will need to be appropriated from the unreserved, undesignated General Fund Balance, but will be

fully reimbursed by the grant from the Office of Traffic Safety. No other matching or in-kind City funds are required for this grant.

Approved 7-0

- E-8. **(City Council) Approve Submittal of Application for California Coastal Commission Project – The Whale Tail Competitive Grants Program to Fund Environmental Education/Community Art Trash Receptacle Project Along Pacific Coast Highway and Magnolia Street** (.) – Approve the submission of a Whale Tail grant application to the California Coastal Commission for funding in the amount of \$15,000. Submitted by the Public Works Director. Funding Source: Potential California Coastal Commission competitive grant valued at \$15,000. No matching funds are required. This is a maximum two-year grant. No funding sources have been identified to continue this program after the two-year period; so the program will end at that time and the receptacles will be removed.
- Approved 7-0***

- E-9. **(City Council) Approve Contract No. CP-0124 Between the Orange County Sanitation District and the City for the Cooperative Projects Program – Fiscal Year 2001/02** (.) – Approve and authorize the Mayor and City Clerk to execute the *Orange County Sanitation District Cooperative Projects Program Contract No. CP-0124.* Submitted by the Public Works Director. Funding Source: Funds in the amount of \$50,000 are available from the Sewer Service Charge Account for the first phase of this project. (First Phase Rehabilitation of sewer mains in area bounded by Warner/Newland/Heil/405 Freeway.)
- Approved 7-0***

- E-10. **(City Council) Approve the First Amendments for (1) CC-1171 and (2) CC-1163 Re: the Agreements Between the City and Inspection Engineering Construction for Two Traffic Signal Projects** (.) – 1. Authorize the Mayor and City Clerk to execute *Amendment No. 1 to Agreement between the City of Huntington Beach and Inspection Engineering Construction for Installation of Traffic Signals*; and 2. Authorize the Mayor and City Clerk to execute *Amendment No. 1 to Agreement between the City of Huntington Beach and Inspection Engineering Construction for Traffic Signal Communication and Operation Upgrade Project.* Submitted by the Public Works Director. Funding Source: Not Applicable.
- Approved 7-0***

- E-11. **(City Council) Adopt Resolution No. 2002-108 Relating to the Establishment of Classification Specifications for Appointive Department Head Positions** (.)
- Adopt **Resolution No. 2002-108** - "A Resolution of the City Council of the City of Huntington Beach Relating to the Establishment of Classification Specifications for Appointive Department Head Positions." Submitted by the City Administrator. Funding Source: No funding is required.
- Approved 7-0***

- E-12. **(City Council) Approve Affordable Housing Declaration of Conditions, Covenants and Restrictions Between the City and Southridge Homes for Property Located at 19172-B and 19172-C Holly Street (n/o Clay Avenue) Tract 15964 (13 – Lot Single Family Residential Subdivision) (.)** – Approve the *Declaration of Conditions, Covenants and Restrictions for Property (Re-Sale Restrictions)* by and Between the City of Huntington Beach and Southridge Homes, a California General Partnership, and Authorize the Mayor and City Clerk to Sign, Execute and Record. Submitted by the Planning Director. Funding Source: Not applicable.
Approved 7-0
- E-13. **(City Council) Receive & File Report from the October 16, 2002 Committee Meeting Regarding Procedure to Create New City Department Head Classifications (.)** – Receive and File the Report from the October 16, 2002 meeting held at direction of Council on October 7, 2002, relative to the past and present city procedure used to create new Department Head classification. Jointly submitted by the City Administrator and City Clerk. Funding Source: Not applicable.
Approved 7-0

F. Administrative Items**F-1. (City Council) Direct Staff Whether or Not to Enter into Negotiations for a Franchise Agreement between the City and Southern California Water Company (SCWC) for Pipeline Franchise in Order to Provide Water Service to Bolsa Chica Development (.)**

Communication from the Administrative Services Director, the City Attorney and the Public Works Director requesting Council's discretion whether to authorize staff to negotiate a pipeline franchise with Southern California Water Company (SCWC). There is a Closed Session item regarding the negotiable terms and conditions on this November 6, 2002 City Council agenda. The City Council will determine whether or not to discuss these terms and conditions in open session or in closed session.

Recommended Action: That the City Council provide direction regarding SCWC's franchise application. Potential options include:

1. Direct staff to negotiate a franchise agreement;

OR

2. Notify SCWC that the City Council has directed staff not to negotiate a franchise. In this circumstance, SCWC may file suit to compel the City to issue a franchise, or may initiate eminent domain proceedings;

OR

3. Notify SCWC that the Council will take no action.
Motion to: Continue until determination is made relative to Bond Issue for acquisition and possible settlement of lawsuit.

F-2. (City Council) Provide Staff Policy Direction Regarding Drafting Municipal Code Amendments to the Huntington Harbour and Boating Regulations (Including Live Aboards) (.)

Communication from the City Attorney and the Special Projects Manager requesting Council direction whether to revise the regulations regarding boating in Huntington Harbour.

Recommended Action: Motion to:

Provide Staff policy direction regarding drafting amendments to the Harbour and Boating Regulations.

Motion to: Enhance the existing Water Quality Committee to be appointed by the Mayor to address the following issues: Clean Water Act of the U.S.; Dock Construction and permitting; Pierhead Lines; dredging; funding and direct approval of additional meetings be scheduled.

Approved 7-0

F-3. (City Council) Adopt Resolution No. 2002 – 109 to Modify Certain Benefits for Non-Represented Employees (.)

Communication from the City Administrator requesting Council approval of **Resolution No. 2002–109** which authorizes the modification of salary and benefits for Non-Represented employees.

Recommended Action: Motion to:

Adopt Resolution No. 2002-109 - "A Resolution of the City Council of the City of Huntington Beach Modifying Salary and Benefits for Calendar Year 2003 for Non-Represented employees."

Adopted 6-1 (Boardman – NO)

F-4. (City Council) Adopt Resolution No. 2002–110 to Modify Certain Salary and Benefits for the Elected City Treasurer (.)

Communication from the City Treasurer requesting Council approval of **Resolution No. 2002–110** which authorizes the salary and benefits for the City Treasurer be modified to be the same as proposed for the Non-Represented Employees.

Recommended Action: Motion to:

Adopt Resolution No. 2002–110 – "A Resolution of the City Council of the City of Huntington Beach Modifying Benefits and Salary for Calendar Year 2003 for the Elected City Treasurer."

Adopted 7-0

F-5. (City Council) Adopt Resolution No. 2002–111 to Modify Certain Salary and Benefits for the Elected City Clerk (.)

Communication from the City Clerk requesting Council approval of **Resolution No. 2002–111** which authorizes the salary and benefits for the City Clerk be modified to be the same as proposed for the Non-Represented Employees.

Recommended Action: Motion to:

Adopt Resolution No. 2002–111 – "A Resolution of the City Council of the City of Huntington Beach Modifying Salary and Benefits for Calendar Year 2003 for the City Clerk."

Adopted 7-0

F-6. (City Council) Approve Implementation Strategy of the Downtown Specific Plan/ Parking Master in Lieu Fee Program (.)

Communication from the Planning Director and the Economic Development/Deputy Executive Director requesting City Council direction on the use of the fees and future of the program.

Recommended Action: Motion to:

Direct staff to continue administering the parking in lieu fee program while **implementing one or more of the following strategies** for the use of the fees:

1. Increase by approximately 26 spaces the capacity of the subterranean parking structure proposed as part of The Strand project (Blocks 104/105) by negotiating with CIM developers;

and

Revised Page

2. Direct staff to amend the Downtown Specific Plan/Parking Master Plan to allow for the development of a surface parking lot at First Street and Atlanta Avenue;
and
3. Direct staff to implement the acquisition of land in the Downtown Parking Master Plan boundary for purposes of land banking for future parking opportunities;
and
4. Direct staff to investigate providing additional on-street parking by restriping and/or reorienting existing parking spaces and/or closing existing driveways.

Continued to 11-18-02 Council Meeting – Approved 7-0

G. Ordinances

G-1. Ordinances for Adoption

- G-1a. (City Council) Adopt Ordinance Nos. 3584 and 3585 Amending the Huntington Beach Zoning and Subdivision Ordinance Respectively to (1) Add the CZ Coastal Zone Overlay (Zoning Map Amendment No. 96-5A) and (2) Prezone Acreage Adjacent to the East Garden Grove – Wintersburg Channel (Zoning Map Amendment No. 96.5B) (Parkside Estates Public Hearing Held 10/21/02) (.)**

After City Clerk reads by titles, adopt **Ordinance Nos. 3584 and 3585** by roll call vote:

1. **Ordinance No. 3584** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance to Add the CZ Coastal Zone Overlay (Zoning Map Amendment No. 95-5A)”

Adopted 6-1 (Boardman - NO)

and

2. **Ordinance No. 3585** – “An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance to Prezone Acreage Adjacent to the East Garden Grove-Wintersburg Channel (Zoning Map Amendment No. 96-5B.)” Submitted by the Planning Director. (Public hearing held and Ordinances approved for introduction 10/21/02.)

➔ ***Adopted 4-3 (Boardman, Cook, Houchen- NO) Winchell - NO***

G-2. Ordinances for Introduction

- G-2a. (City Council) Approve Introduction of Ordinance No. 3586 Amending the Huntington Beach Municipal Code by Adding Chapter 7.14 Prohibiting Performances of Wild and Exotic Animals for Public Entertainment or Amusement and Restricting the Display of Wild and Exotic Animals (.) – Ordinance No. 3586** – “An Ordinance of the City of Huntington Beach Adding Chapter 7.14 to the Huntington Beach Municipal Code Prohibiting the Performances of Wild and Exotic Animals for Public Entertainment or Amusement and Restricting the Display of Wild and Exotic Animals.” Submitted by the City Attorney.

Recommended Action: After City Clerk reads by title, approve for introduction Ordinance No. 3586 by roll call vote.

Introduction approved 6-1 (Bauer - NO)

H. City Council/Redevelopment Agency Items

H-1a. Submitted By Councilmember/Agency Member Ralph Bauer

(City Council) Request Consideration of Urgency Ordinance Amending the Zoning and Subdivision Code Chapter 230 and a Resolution for the Adoption of a Park and Recreation Mitigation Fee on Residential Commercial and Industrial Developments (Pulse Marketing) Park Strategy and Nexus Study (.)

Communication from Councilmember Ralph Bauer transmitting the following **Statement of Issue:** The City Attorney's Office has drafted an ordinance amending the Zoning and Subdivision Ordinance, Chapter 230, as well as a resolution to implement as 86¢ per square foot park mitigation fee on residential development and additions, and a 23¢ per square foot mitigation fee on commercial and industrial development and additions.

Pulse Marketing prepared an addendum to the "Park Strategy and Fee Nexus Study" of December 2001 which was the basis for the City Council's approval in the Quimby Fee earlier this year.

Recommended Action:

Given the unfinished nature of our earlier action, I urge the City Council to consider adoption of this item at next regular meeting as an urgency ordinance after proper public notice is provided.

Approved 7-0

H-2a. *Motion to take action after posting of agenda*

Approved 7-0

Directed staff to prepare an ordinance repealing the recently adopted banner towing ordinance.

Approved 7-0

Council Comments - (Not Agendized)

At this time Councilmembers may report on items not specifically described on the agenda which are of interest to the community. No action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

Council/Agency Adjournment to Monday, November 18, 2002, at 5:00 p.m., in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

Council/Agency Agendas and Minutes are Available at No Charge to the Public at the City Clerk's Office by Mail and Through Paid Subscription. Complete Agenda Packets are Available at the Central Library and Library Annexes on Friday Prior to Meetings. Video Tapes of Council Meetings are Available for Checkout at the Central Library at No Charge.

CONNIE BROCKWAY, CITY CLERK
City of Huntington Beach
2000 Main Street - Second Floor
Huntington Beach, California 92648

Internet: <http://www.ci.huntington-beach.ca.us>